

IN THE CLAIMS

Please amend the claims as follows. All pending claims, whether or not amended, are presented below for convenience:

6. (Amended) A magnetizer for magnetizing a circular magnet with a null zone intermediate alternating poles comprising [an] a circular insulating core supporting pairs of axially directed wires, each pair of wires adapted to carry current in the same axial direction, and a back iron axially spaced from said core by a sufficient axial gap to allow said magnet to be magnetized to slip into said gap, the flux being shaped to create alternating magnetic poles separated by a null zone around said magnet.

7. (Unchanged) A magnetizer as claimed in Claim 6 wherein said gap is of sufficient radial extent that a portion of said gap remains open when said magnet is inserted so that said transition zone of said magnet is softened.

8. (Unchanged) A magnetizer for magnetizing a magnet with null zones intermediate alternating poles comprising means for supporting said magnet in said magnetizer and conductive means for creating a flux path through said magnet which establishes said null zones in said magnet.

9. A magnetizer as in claim 6, adjacent pairs of wires carrying current in opposite directions.

Remarks

This amendment is submitted in response to the Office Action of December 6, 2000. Reconsideration and allowance of the claims is respectfully requested.

The oath or declaration is claimed to be defective for lack of a full set of signatures, therefore, a new declaration is being prepared and will be submitted.

The drawings are objected to, however, Fig. 8A clearly shows the axially directed wires, which are the subject matter claimed as well as the magnetic flux lube switches which are produced by these wires.

An Abstract is submitted herewith.

On the specification, page 4, line 10, the term "Fig. 4 shows" has been replaced with the term "Figs. 4A and 4B show".

The title has been replaced with the new title "Magnetizing Apparatus".

Finally, the claims are rejected under 35 U.S.C. 102(b) as anticipated by Soeda et al. (USP 5,200,729), citing Fig. 12. The rejection is respectfully traversed. The Soeda patent shows a type of magnetizer which is already old and well known, in which the magnetizing wires are wound around alternating poles which are radially spaced around the extent of a linear magnetizer. (See column 6, lines 1-8). This is in contrast to the present invention which clearly discloses and claims a circular magnetizer for use magnetizing magnets for a motor or the like comprising a circular insulating core supporting pairs of axially directed wires, facing a back iron 53 across a circular gap, the magnet to be magnetized being placed in the gap. Fig. 12 of Soeda does not show a circular core, does not show a circular magnet to be magnetized, does not show a back iron, much less a circular gap. Therefore, the features and advantages of the present invention are clearly missing. The Examiner cites numeral 8 as showing a back iron; numeral 8 instead refers to a yoke which appears, for example, in Fig. 5A, but does not appear in Fig. 12 which is the basis for the Examiner's rejection. Fig. 12 cannot magnetize a circular magnet, nor does it have a back iron. In view of these distinctions, reconsideration and allowance of claim 6, 7 and 9 is requested.

PATENT

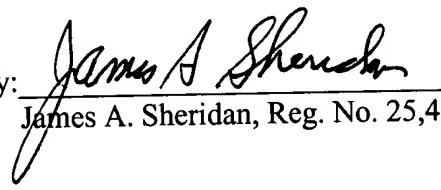
Attorney Docket No. A-59709-3/JAS
Client Ref. SEA 2294.2

The Examiner also rejected the means-plus-function format, claim 8, over the same Fig. 12. However, Fig. 8, by virtue of 35 U.S.C. 112(6), must be limited in its scope to read on the disclosure of the application and in substantial variations thereof. The disclosure of the present invention, which claims the actually conducted means which are shown in Fig. 8A to create the no zone pattern which appears in Fig. 8B is not shown or suggested in the linear magnetizer of Fig. 12 of the cited patent. Since claim 8 clearly invokes by virtue of the language which appears therein the disclosure of Figs. 8A and 8B, and since the present application discloses no linear magnetizers whatsoever, such as are cited by the Examiner, then therefore the means-plus-function claim must also be considered and allowed.

If any matters can be handled by telephone, Applicant requests that the Examiner telephone Applicant's attorney at the number below.

The Commissioner is authorized to charge any additional fees to Deposit Account No. 20-0782 (Order No. A-59709-3/80322942JAS).

Respectfully submitted,

By: 
James A. Sheridan, Reg. No. 25,435

THOMASON, MOSER & PATTERSON, LLP
4149 El Camino Way, Suite B
Palo Alto, California 94306-4036
Telephone: (650) 320-0000
Facsimile: (650) 320-0099

Serial No.: 09/631,438